

REMARKS

Applicants thank Examiner for acknowledging receipt of foreign priority document, Japanese Application Numbers JP2002-205142 and JP2003-076524, that have been submitted pursuant to 35 U.S.C. § 119.

Applicants thank the Examiner for the indication of allowable subject matter in claims 2, 3, and 5 - 7.

Applicants have added new claims 8-11 in order to alternately define inventions disclosed in the specification. Support for this new claim can be found on the bottom of page 6 of Applicants' disclosure.

Applicants respectfully request reconsideration of Examiner's rejection of claims 1 and 4 for obviousness-type double patenting. Examiner has rejected these claims in view of the cited co-pending patent application of *Tanaka et al.* (U.S. Patent Pub. No. 2003/0228430A1). The *Tanaka* application is actually directed to providing a thermal transfer image recording composite sheet with a high recording sensitivity for various thermal transfer printers, and of which an image recording sheet section can be released from a release sheet section and adhered to a desired article. (see paragraph [0021]). One aspect of this reference requires the recording sheet to have a "compressive modulus of 50 MPa or less, determined in accordance with Japanese Industrial Standard K 7220." (See paragraph [0030] and claim 1). As a result of "the limited compressive modulus ... the image recording sheet of the present invention [exhibits] significantly high resistance to roughening of the image recording surface due to imagewise heating by the thermal had and to denting and spike

marks on the image recording surface due to nipping pressure applied to the image recording sheet by sheet-conveying nip rolls, and [an] excellent sensitivity on dye thermal transfer recording, and the recorded images [] exhibit high color density and clarity.” (See paragraph [0050]).

Tanaka, however, fails to teach or suggest any type of stress-relaxing means formed ahead of a half-cut in order to “provide an image receiver material in which the image receiver sheet is not peeled off even when the material is wound about a transport roll of a smaller diameter.” (See page 5, 2nd paragraph of Applicant’s disclosure). More importantly, in relation to the double patenting rejection, no such limitation is found in the claims.

Furthermore, Applicant’s current application does not claim a thermal transfer image recording composite sheet having a compressive modulus of 50 MPa or less as specified in the claims of *Tanaka*. The claims are therefore directed to substantially different subject matter and are patentably distinct.

Applicants submit that the currently claimed invention, and that claimed in U.S. Publication No. 2003/0228430A1, are directed to substantially different aspects of an image receiver sheet. In light of the foregoing, Applicants submit that Examiner’s non-statutory double patenting rejection is improper, and respectfully request Examiner withdraw his rejection and place all remaining claims in condition for allowance.

Examiner’s remaining references cited but not relied upon, considered either alone or in combination, also fail to teach applicant’s currently claimed invention. In light of the

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foregoing, Applicants respectfully submit that all claims now stand in condition for allowance.

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Respectfully submitted,



(Reg. #37,607)

Robert J. Depke
HOLLAND & KNIGHT LLC
131 S. Dearborn, 30th Floor
Chicago, Illinois 60603
Tel: (312) 263-3600
Attorney for Applicant